

Annette W. Jarvis, Utah Bar No. 1649
 RAY QUINNEY & NEBEKER P.C.
 36 South State Street, Suite 1400
 P.O. Box 45385
 Salt Lake City, Utah 84145-0385
 Telephone: (801) 532-1500
 Facsimile: (801) 532-7543
 Email: ajarvis@rqn.com

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and

Lenard E. Schwartz, Nevada Bar No. 0399
 Jeanette E. McPherson, Nevada Bar No. 5423
 SCHWARTZER & MCPHERSON LAW FIRM
 2850 South Jones Boulevard, Suite 1
 Las Vegas, Nevada 89146-5308
 Telephone: (702) 228-7590
 Facsimile: (702) 892-0122
 E-Mail: bkfilings@s-mlaw.com

Attorneys for Debtors and Debtors-in-Possession

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:
 USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

Case No. BK-S-06-10725 LBR
 Case No. BK-S-06-10726 LBR
 Case No. BK-S-06-10727 LBR

In re:
 USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

Case No. BK-S-06-10728 LBR
 Case No. BK-S-06-10729 LBR

In re:
 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
 Debtor.

Chapter 11

In re:
 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

Jointly Administered Under
 Case No. BK-S-06-10725 LBR

In re:
 USA SECURITIES, LLC,
 Debtor.

**EX PARTE APPLICATION FOR ORDER
 APPROVING EXAMINATION OF USA
 INVESTORS VI, LLC PURSUANT TO FED. R.
 BANKR. P. 2004**

Affects:
☒ All Debtors
☐ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

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Pursuant to Fed. R. Bank. P. 2004, USA Commercial Mortgage Company, USA Securities, LLC, USA Capital Realty Advisors, LLC, USA Capital Diversified Trust Deed Fund, LLC, and USA Capital First Trust Deed Fund, LLC (collectively, the “Debtors”), by and through their counsel, hereby apply for an order directing USA Investors, VI LLC (“IP VI”), to be examined under oath in relation to the following:

1. The incorporation of IP VI and its past and present business operations.
2. The past and present management structure of IP VI.
3. The past and present relationship between any of the Debtors and IP VI.
4. The capitalization of IP VI, including whether any capital contributions came from funds of any of the Debtors.
5. All obligations owing to or from the Debtors and IP VI or any of their affiliates.
6. All transfers of any real or personal property to or from the Debtors and IP VI or any of their affiliates.
7. The assets of IP VI.
8. The liabilities of IP VI.
9. The creditors of IP VI.
10. Any and all projects or loans in which any of the Debtors and IP VI both have an interest.
11. Any other matter that may affect the administration of the Debtors’ estates.

Fed. R. Bank. P. 2004(a) provides that “[o]n motion of any party in interest, the court may order the examination of any entity.”

Local Rule 2004 provides, in pertinent part, the following:

(b) Order for examination. Orders for examination may be signed by the clerk if the date set for examination is more than ten (10) business days from the date such motion is filed....

As set forth above, the date for the proposed examination is more than ten (10) business days from the date of this Application. Accordingly, Debtors respectfully request that the Clerk of the Court docket the Order for Examination of IP VI pursuant to Fed. R. Bank. P. 2004 submitted

herewith.

WHEREFORE, Debtors respectfully request that this Honorable Court direct IP VI to appear through its representative designated in accordance with Fed. R. Civ. P 30(b)(6) on December 13, 2006 at 9:00 o'clock a.m. at the Debtors' offices located at 4484 Pecos Road, Las Vegas, Nevada 89121, and continuing thereafter until completed.

Respectfully submitted this 29th day of November, 2006.

/s/ Lenard E. Schwartz

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